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Security Council Committee established pursuant to resolution 1267 (1999)

Letter dated 16 April 2003 from the Permanent Representative of Algeria to the United Nations addressed to the Chairman of the Committee

On instructions from my Government, I have the honour to transmit to you herewith the report of the Algerian Government to the Committee established pursuant to resolution 1267 (1999), in implementation of paragraphs 6 and 7 of Security Council resolution 1455 (2003) (see annex).

The attached report includes a list of groups and individuals associated with al-Qa'idah, which the Algerian Government would like to see placed on the Committee's list.

The Algerian Government is ready to provide other reports and information to the Committee as required.

(*Signed*) Abdallah **Baali**
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Annex to the letter dated 16 April 2003 from the Permanent Representative of Algeria to the United Nations addressed to the Chairman of the Committee

Report of Algeria on the implementation of United Nations Security Council resolution 1455 (2003)

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I. Introduction

In accordance with paragraph 6 of Security Council resolution 1455 (2003), Algeria submits the present report to the Committee as a supplement to the report transmitted in April 2002 in accordance with resolution 1390 (2002) on combating the al-Qa`idah terrorist organization and the entities and persons associated with it.

The set of measures described below forms part of the battle that Algeria has waged for more than a decade against the terrorist groups targeting the country and, in particular, the Groupe Islamique Armé (Armed Islamic Group) (GIA) and the Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Proselytism and Combat) (GSPC), which are on the Committee's list of entities and individuals associated with al-Qa`idah.

When this scourge first appeared on its territory at the beginning of the 1990s, Algeria adopted a series of legislative and regulatory instruments to organize the suppression of these groups, which are linked with transnational networks, and allow their members to be brought to justice for acts committed inside as well as outside the country. Algeria was one of the first countries to criminalize terrorism and the financing of terrorist activities and take measures to combat transnational arms financing and supply networks.

One new aspect of this endeavour is connected with combating money-laundering and was introduced in implementation of the United Nations Convention on Transnational Organized Crime, which Algeria has ratified.

Even as a law on money-laundering is in the process of being elaborated the Algerian authorities have taken measures for the detection and prevention of activities linked with this form of crime. The entry into force of the Executive Decree establishing the Financial Information Processing Unit is, among other things, an important step towards establishing effective institutional means of combating the financing of terrorist activities.

In this context, the Algerian authorities have strengthened the means of controlling capital movements to and from Algeria in order to combat illicit operations that could support terrorist activities and other forms of organized crime.

The suppression of offences against the exchange and capital movements laws is expressed in a marked increase in penalties. From a penal viewpoint, this greater severity increases the risks of recourse to the facilities that the international financial system and open borders offer to activities in support of terrorist groups in Algeria.

The present report also contains an updated list of Algerian individuals and groups associated with al-Qa`idah which Algeria would like to see included in the Committee's list.

Thus, through its own battle against the terrorism which threatens it directly, Algeria contributes actively to the international fight against this scourge. Of course, the legal and institutional measures that are being put in place worldwide are not capable of covering all the spheres of action required in order to eradicate terrorism. Its eradication also depends, perhaps more decisively, on the willingness to share operational as much as judicial information, the capacity of the international community to be vigilant and the facilitation of access to certain specific amenities.

International counter-terrorism measures, therefore, need to be improved as a matter of urgency. Such improvement would involve sustained and well-organized cooperation as part of a coherent approach that expresses the clear political will of all States.

II. Suppression of offences against the exchange and capital movements laws

This subject is dealt with under Ordinance No. 03.01 of 19 February 2003 concerning the suppression of offences against the laws and regulations on currency and capital movements into and out of Algeria.

(a) The Ordinance, adopted by the National Assembly, amends and supplements Ordinance No. 96.22 of 9 July 1996 concerning the suppression of offences against the regulations on currency and capital movements into and out of the country, mentioned previously in the national report submitted by Algeria pursuant to Security Council resolution 1390 (2002).

The internal evolution of Algerian and international financial institutions and banking systems, the establishment of terrorism as a threat to international peace and security and the decision to suppress the financing of terrorist activities at all levels have led the monetary authorities gradually to amend the national legal arsenal with a view to addressing all activities linked to capital movements and funds transfers.

The constituent elements of offences or attempted offences against foreign exchange legislation and regulation extend to false declarations, non-observation of the obligation to make a declaration, non-observation of prescribed procedures and failure to obtain the required authorizations.

In order to better underline the importance of absolute respect for the measures prescribed in the case in point and show clearly the causal relationship between an action, its characterization and its suppression, article 1 of the Ordinance states that "an offender may not be excused even if acting in good faith".

In cases of offences against legal prescriptions, offenders will, under article 1 bis, be punished by imprisonment for a period ranging from two to seven years, confiscation of the *corpus delicti* and the means of transport used as well as the imposition of a fine amounting to at least double the sum involved in the offence or attempted offence.

When, for whatever reason, it is not possible to seize items subject to confiscation, the competent court imposes a fine equal to the value of the items in question.

Ordinance No. 03.01 broadens the scope of the penalties to include disqualification from conducting foreign trade operations and acting as a stockbroker or foreign exchange dealer. The offender is not eligible to hold a position in chambers of commerce or as judge in a court of law for a period of five years.

Article 4 imposes on any person conducting operations involving cash sums or forged securities penalties of imprisonment for a period of two to seven years, unless the offence is more serious, in which case the sentence is more severe.

In the same way as physical persons, legal persons under private law are liable, without prejudice to their criminal responsibility, for offences committed on their behalf by their organizations or legal representatives.

In the case in point the Ordinance makes provision, beyond the confiscation of the *corpus delicti* and imposition of a fine amounting to no less than four times the sum involved in the offence, for one or all of the following penalties:

– Debarment from conducting foreign exchange and foreign trade operations;

– Exclusion from public contracts;

– Debarment from accepting savings deposits;

– Debarment from acting as a stockbroker.

The Ordinance authorizes the Governor of the Bank of Algeria to take any useful precautionary measure on his own initiative or at the request of the Minister of Finance to prevent offenders from conducting any exchange or capital movement operation as part of their professional activities. These precautionary measures aim to ensure the collection of financial penalties in the same way and under the same conditions as provided for under customs or fiscal legislation.

Finally, article 14 of the Ordinance requires the Minister of Finance and the Governor of the Bank of Algeria to submit a joint annual report to the President of the Republic on offences against exchange legislation and controls.

(b) Ordinance No. 03.01 establishes, among other things, the National Transactions Committee and local transactions committees.

The National Committee, which brings together representatives of the Office of the President of the Republic, the Head of Government, the Minister of Finance and the Governor of the Bank of Algeria, is empowered to consent to transactions when the value of the *corpus delicti* is less than 50 million Algerian dinars (equivalent to approximately $590,000). When the value exceeds that amount, the Committee issues an opinion and transmits the file to the Government for a decision in the Council of Ministers.

When the offence bears no relation to a foreign trade operation and when the value of the *corpus delicti* is less than DA 500,000 (equivalent to approximately $5,900), consent for the transaction can be given by a local committee.

(c) Executive Decree No. 03.110 of 5 March 2003, issued in implementation of Ordinance No. 03.01, specifies the conditions under which such a transaction may be performed as well as the organization and functioning of the transaction committees with regard to offences against the exchange laws.

This regulatory text aims to reinforce the principles on which transactions are based. It strives to set new conditions under which, should the situation arise, the decision to authorize a transaction taken in the Council of Ministers is prepared and carried out.

The objectives of the new legal framework are to modify transactions, establish a new organizational plan and fix parameters for determining the proportion of the sum of the compromise settlement in relation to the value of the *corpus delicti*.

Executive Decree No. 03.110 of 5 March 2003 amending Executive Decree No. 97.257 of 14 July 1997 determines and specifies conventions and modalities for drafting reports on offences against the laws and regulations on currency and capital movements into and out of Algeria.

Once Ordinance No. 03.01 and its implementing decrees were adopted, the national legislative and regulatory framework was strengthened and now provides better guarantees of control over currency and financial transactions. The establishment of different levels of surveillance of capital movements in relation to certain duly specified transaction amounts contributes to ensuring enhanced transparency in international transactions and rigorous follow-up by the Bank of Algeria on such transactions.

III. Suppression of the financing of terrorism and combating money-laundering

1. The Financial Information Processing Unit

(a) Executive Decree No. 02.127, promulgated on 7 April 2002, establishes a Financial Information Processing Unit, following the ratification by Algeria of the United Nations Convention on Transnational Organized Crime (Decree No. 02.55 of 5 February 2002). A regional conference was held in November 2002 in Algiers in order to raise awareness among African countries of the need to accede to the Convention.

(b) The involvement of terrorist groups in transnational crime networks has led the Algerian authorities to redouble their efforts to combat fraudulent and criminal operations by the imposition of strict controls on financial establishments.

(c) The main task of the Financial Information Processing Unit, which is an independent entity within the Ministry of Finance, is to combat the financing of terrorism and money-laundering. The Unit consists of six members selected for their competence in legal and financial matters. Their powers in relation to their mission are extremely broad.

The tasks of the Unit are to:

- Propose any legislative or regulatory measure deemed necessary in the fight against the financing of terrorism and money-laundering;
- Set in place the necessary measures for the prevention and detection of means and procedures used with a view to financing terrorist activities or money-laundering operations;
- Receive and process Suspicious Transaction Reports coming from banking organizations relating to all financing of terrorism or money-laundering operations.

The purpose of the following specific powers is to enable the Unit to take rapid and effective action. The Unit may:

- Request from financial organizations any document or item of information deemed necessary in order to accomplish its tasks as a public authority;

- Order, as a precautionary measure, the suspension of any banking operation or freezing of the assets of any physical or legal person suspected of or strongly presumed to be laundering money or involved in illicit activities relating to a terrorist enterprise;
- Transmit to the Public Prosecutor, should the investigations conducted and the facts noted be sufficient to merit legal action, the file containing the documents necessary in order to open a judicial inquiry, or take any other action deemed necessary by the judge;
- Exchange information in its possession with foreign organizations empowered with similar missions, subject to conditions of reciprocity, with a view to concluding their operations to combat money-laundering and the financing of terrorism;
- Use information received only in the context of the mandate set out in the Executive Decree. Such information must be communicated only to organizations empowered and mandated to combat the financing of terrorism and money-laundering.

2. *Finance Act 2003*

Articles 104 and 105 of the Finance Act provide for the lifting of banking secrecy and professional secrecy and authorize the suspension of any banking operation for a period of 72 hours, as well as the freezing of the assets of any individual who is under suspicion.

The Unit requires organizations authorized to act as banking intermediaries to:

- Establish the identity of individuals who have carried out suspicious operations, on the basis of conclusive documentary evidence. This measure applies in respect of regular and occasional clients in cases where they do not appear to be acting on their own account;
- Ensure compliance with procedures for the prevention and detection of terrorism-financing operations and money-laundering operations;
- Centralize and transmit in the required form, within the required time frame and in accordance with the required modalities, information on suspicious operations and respond to any requests for transmittal of documents or information made by the Unit.

3. *Regulation 02.03 of the Currency and Credit Council of the Bank of Algeria*

This regulation, issued on 18 December 2002 with a view to improving bank governance, provided for the establishment of an audit and monitoring body with extensive powers.

The measures described above complement implementation of the fundamental principle introduced in article 87 bis, paragraph 6, of Ordinance No. 95.11 of 25 February 1995, which provides for prosecution of any Algerian national active in a terrorist organization abroad, even if his or her activities are not directed against Algeria.

Algerian legislation is based to a great extent on the recommendations set out in international instruments, and on the recommendations made by such

international organizations as the Financial Action Task Force which are responsible for combating the financing of activities linked to transnational organized crime.

IV. Modification of the Penal Code and the Code of Criminal Procedure

The provisions of the Penal Code and the Code of Criminal Procedure have been modified several times since 1995, in order to take account in that context of terrorist offences and their characterization, and to determine the penalties applicable in the case of perpetration of terrorist acts or membership in a terrorist group or organization (Ordinance No. 95.11 of 25 February 1995 amending and supplementing Ordinance No. 66.156 of 8 June 1966). Other amendments and adjustments to bring existing legislative provisions into line are under preparation. These amendments and adjustments concern in particular offences characterized as terrorist or subversive acts involving the following:

1. *In the context of the Penal Code*

   - The provision or collection of funds used or which it is known will be used to prepare or facilitate the preparation of a terrorist act, or to perpetrate such an act;
   - Any operation designed to conceal or disguise the conversion or transfer of resources or assets in connection with activities in support of terrorism.

2. *In the context of the Code of Criminal Procedure*

   - Financial institutions, stock-exchange monitoring bodies and all physical or legal persons which, in carrying out their functions, perform, monitor or give advice in respect of operations giving rise to capital movements, are required to declare to the Public Prosecutor operations involving sums of money suspected of originating from or being linked to terrorism;
   - The above obligations are also imposed on experts, notaries-public, lawyers, legal advisers and any individual or entity acting as such;
   - Under the supervision of the Public Prosecutor, Judicial Police officers take any appropriate precautionary measures.

V. Freezing of assets

The way in which the Algerian banking system works, the fact that Algerian currency is non-convertible for purposes other than foreign trade in goods and the existence of strict exchange-control measures (see Ordinance No. 03.01 above), means that Algeria is not an attractive financial platform for terrorist organizations.

Neither the Bank of Algeria, as a monetary authority monitoring capital movements, nor the banks that conduct business in Algeria have as yet detected suspicious funds transfers or located financial assets of individuals considered as belonging to al-Qa`idah. Furthermore, no action has been taken either in terms of measures to freeze or attach assets or funds belonging to such individuals.

The updated United Nations list of individuals and terrorist groups and organizations is regularly transmitted to the Bank of Algeria and other primary banks.

VI. Regulation, prevention and control of chemical weapons

1. *Bill concerning the suppression of offences against the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction*

The adoption of the bill followed the ratification by Algeria of the Convention (Presidential Decree 95.157 of 3 June 1995). It reflects Algeria's determination to help combat proliferation of weapons of mass destruction through the implementation of a regime calling for monitoring, declarations and systematic verification by means of on-site inspections and the deployment of teams for the surveillance of all locations where chemical products are stockpiled. Presidential Decree 97.125 of 26 April 1997 provided for the establishment of an inter-ministerial committee under the authority of the Head of Government, with the mandate of monitoring the implementation of the Convention.

The text in question calls for a transparent management regime for chemical products in order to prevent clandestine activities and strengthen security.

The purpose of the monitoring and surveillance system for the suppression of any non-regulated use is to prevent terrorist groups from gaining possession of or using chemical products or weapons. The establishment of a verification regime based on initial declarations and subsequently on periodic declarations, as well as on mandatory and intrusive national and international inspections also helps to ensure that the matter in question is dealt with more effectively in all its aspects. The above-mentioned law contains criminal provisions and sets forth punishments ranging from fines to imprisonment, for periods ranging from two months to life, depending on the acts of which the individuals concerned are accused and their degree of seriousness.

In the event of non-compliance with or violation of the provisions of this legislation, the following punishments are applicable with respect to any physical or legal person:

- Rigorous imprisonment for life for using chemical weapons;
- Rigorous imprisonment for 10 to 20 years for the development, possession, acquisition, import or export of chemical products;
- Imprisonment for two months to one year and a fine for the unauthorized import, export, transit, trade in and brokerage of chemical goods.

2. *Draft executive decree on the use of chemical products*

Chemical products are essential for industry and are components of a number of products on sale on the market. However, widespread use of such products gives rise to security problems calling for appropriate action.

Regulation of the use of chemical products will be dealt with in an executive decree that is under preparation.

VII. Algerian groups and individuals associated with al-Qa`idah

Two Algerian terrorist groups are already on the Committee's list: Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Proselytism and Combat) (GSPC) and the Groupe Islamique Armé (Armed Islamic Group) (GIA). Other groups that continue to be active in Algeria and maintain links with al-Qa`idah should be added to this list in accordance with the relevant provisions of Security Council resolutions 1267 (1999), 1333 (2000), 1373 (2001) and 1390 (2002).

Algeria would like to see the following groups placed on the Committee's list:

1. Djamat Houmat Daawa Salafia or "El-Ahouel" (DHDS)

This organization is a GIA branch that fought alongside the Taliban in Afghanistan. Some of its members were volunteers in non-governmental organizations (NGOs) such as El-Haramein and El-Waqf El Islami, which appear on the list established pursuant to Security Council resolution 1267 (1999).

DHDS was formed as a result of a break that occurred in 1996, during the Djamel Zitouni era, when Afghanistan veteran Kada Benchikha Larbi decided to oppose the head of GIA.

DHDS supports the Taliban and al-Qa`idah, whose objectives it shares. The group's structure is modelled after that of the Taliban.

It is responsible for the deaths of several dozen citizens and the destruction of the country's economic, social and cultural infrastructure. It terrorizes people living in cities and in remote regions to force them to leave their homes and assets. Its members try forcibly to recruit young people in order to swell their ranks.

Towards the end of 2001 DHDS tried to establish small groups in cities in the western part of the country with a view to committing terrorist acts, murdering local leaders, collecting funds and sabotaging economic infrastructure.

Since its establishment in 1999, this group has worked to create its own funding sources abroad, in particular in Italy, Spain, Great Britain and France, by taking over part of the support networks affiliated with GIA and GSPC and by developing ties with extremist theologians such as Abou Kotada El Falestini and Abou Hamza El Misri. The support of such theologians enabled DHDS to take advantage of al-Qa`idah's transnational networks.

The recent arrests in Great Britain which took place following threats of bacteriological attacks highlighted the involvement of members of DHDS, who were trained by al-Qa`idah leaders with a view to using poisons and other products when the time came. One of the persons arrested was Mustapha Taleb — alias "Abou El Haritha", born on 28 October 1969 in Tlemcen, Algeria, son of Abderrahmane and Taleb Habiba Ouasti, residing in Great Britain at 36 Alexandra Grove, 2 LFN, London.

DHDS is also trying to enlist two small GIA dissident groups in order to extend its sphere of operations to other regions in the country. These groups are the following:

- Groupe Salafiste Combattant (Salafist Combatant Group) (GSC) or "Djamaat Salafia Moukatila" (DSM);

- Groupe Sunnite pour la Prédication et le Djihad (Sunni Group for Proselytism and Jihad) (GSPD).

It has been established that, after supporting GSPC, al-Qa`idah had other contacts with DHDS operatives to convince them to merge with GSPC, in order to improve that terrorist organization's structure in Algeria and thus take advantage of its multifaceted support.

2. *Djaz'ara*

Operating in 1992 under the name "Crisis cell of the former Front Islamique du Salut (Islamic Salvation Front)" and under the aegis of GIA since January 1994 and of the Front Islamique du Djihad Armé (Armed Jihad Islamic Front) (FIDA), Djaz'ara currently calls itself the Bureau exécutif national. This group has been responsible for violent and spectacular terrorist attacks targeting intellectuals, academics, journalists, doctors and trade-unionists.

Djaz'ara controlled the former Fraternité Algérienne en France (Algerian Fraternity in France) (FAF) and its satellites. The mission of these groups was to provide multifaceted support and help finance terrorist activities in Algeria. Its members are in contact with terrorists belonging to al-Qa`idah's transnational networks.

In Germany, the Djaz'ara controlled the "Instance Exécutive de l'ex-Front Islamique du Salut" (FIS) (Executive Body of the former Islamic Salvation Front). In Great Britain, it controls the organization "Al Baqoun Ala Ahd" and in the United States the "Parliamentary Delegation" of the former FIS. The Djaz'ara's most active cell is in Switzerland. It is currently directed by Mourad Dhina, alias Zoubir, alias Abou Walid, alias Ammar, alias Kadi, born on 6 August 1961 in Blida, son of Mohamed Dhina and Zoulikha Benmoussa, sought under international arrest warrant No. 177/95/T issued by the Algerian system of justice on 15 January 1995, who resides in Switzerland.

The Djaz'arists have publicly called for "Jihad" in Algeria, encouraged the use of violence, endorsed mass murders and targeted Algerian intellectuals. They reject the Act on the Restoration of Civil Harmony, which was designed to establish a legal framework for the return and reintegration of the terrorists either through release or through reduction of penalties, as appropriate.

At a meeting held on 3 and 4 April 2002 in the Netherlands, terrorist Mourad Dhina, coordinator of the "Provisional Executive Secretariat of FIS" publicly reiterated his determination to continue Jihad by legitimizing the use of terrorist acts in Algeria and to support transnational terrorist networks.

The logistical support provided by Mourad Dhina from Switzerland was the subject of proceedings initiated in 1996 and 1997 by the Swiss authorities for his involvement in various types of arms trafficking to Algeria. In 1995 and 1996, Dhina organized an arms- and ammunition-trafficking ring for terrorist groups in the Mitidja region of Algeria.

Djaz'ara currently has networks in several countries. Its operatives are implicated in arms- and ammunition-trafficking and the collection of funds for the

financing of terrorist activities. Djaz'ara operatives are known for their expertise in the chemical, bacteriological and nuclear fields.

Djaz'ara leaders abroad are known for having spent time in Afghanistan, followed by Pakistan where they formed ties with leaders of international terrorism affiliated with al-Qa`idah. They include:

Kamer Eddine Kherbane — born on 14 November 1956 in Algiers, son of Issad Kherbane and Hassina Ait Djaffer, operative of the terrorist organization Al Bakoun Ala Al Ahd, residing in London, England. Wanted in Algeria, from 1990 to 1992 he directed the "Beit El Djazariyine" (House of Algerians in Peshawar), Djaz'ara branch responsible for recruitment, weapons, training and logistics which is called the "Bureau of Services" (Mekteb El Khadamet), established by Osama bin Laden in Pakistan. He also ran the "bureau of services" in Tirana, Albania, after directing that of the Keffah Refugee Center in Zagreb, Croatia.

Boudjemaa Bounoua — alias Abou Anès, born on 20 July 1958 in Mechria, Algeria, son of Bachir Ould Miloud and Kheir Hamdaoui, married to Palestinian national Soumaya Azzam, daughter of the late Abdallah Azzam. Bounoua is one of the main leaders of al-Qa`idah. He was responsible for the link between GIA and al-Qa`idah's transnational networks and for incorporating Algeria's terrorist potential into al-Qa`idah. He also enlisted as a volunteer during the war in Bosnia and works from Albania to strengthen terrorist structures.

Kamer Eddine Kherbane and Boudjemaa Bounoua have relied on support from:

Egyptian national Abouhafs al Misri (Mohamed Atef), alias Subhi Abou Sitta, Sheikh Taysir Abdullah, Mohamed Atef, Abou Hafs Al Masri El Khabir, Taysir, born in 1956, native of Alexandria, Egypt. He appears as No. 60 on the list established in the framework of Security Council resolution 1333 (2000). He is one of the founders of the Egyptian Islamic Jihad.

Saudi national Zine el Abidine Abou Zoubeida — alias Abou Zubaida, Abd Al-Hadi Al-Wahab, Zain Al-Abidin Muhahhad Husain, Zayn Al-Abidin Muhammad Husayn, Tariq. Uses Saudi, Palestinian and Jordanian passports. He was born on 12 March 1971 and appears as No. 7 on the list established in the framework of Security Council resolution 1333 (2000).

Djhamel Lounici — born on 1 February 1962 in Algiers, son of Abdelkader Lounici and Djouhra Birouh. He is being sought under international arrest warrants No. 15/93/T of 6 March 1993, No. 20/94/T of 25 July 1994 and Nos. 07/95/T and 44/94/T of 3 April 1994 on the following charges: forming and belonging to an armed terrorist group, arms trafficking for terrorist groups, financing terrorist activities and undermining State security. He currently lives in Italy.

The Italian judicial authorities opened an inquiry against Djamel Lounici. The results of the inquiry showed that he was involved in several cases of arms trafficking for terrorist groups in Algeria. The operations were financed by income from the trafficking and by al-Qa`idah's transnational networks.

Ahmed Zaoui — alias Abou Houdeifa, born on 7 December 1960 in El-Idrissia/Djelfa, Algeria, son of Lakhdar Zaoui and Amina Tahar. He was sentenced five times in absentia by the Algiers Criminal Court for terrorist activities and belonging to a terrorist group.

Various inquiries conducted in Belgium have pointed to his involvement in arms trafficking to Algeria. He has proved links with terrorists Mohamed Kerrouche, called Salim (currently residing in London), Bosnians Nurset Jusufovic, Jasmin Mulahusic and Senad Ramcilovic and Moroccan brothers Ali and Youcef El Majda, arrested on 3 April 1996.

Ahmed Zaoui was expelled from Belgium to Switzerland, then to Burkina Faso, and then went to Malaysia. He is currently living in New Zealand.

Mohamed Kessoul — alias Mourad — in charge of GSPC logistical support in Belgium. Closely linked to al-Qa`idah, he has been mentioned, in particular, in connection with the cases of Farid Mellouk and the Tunisian extremist Tarek Maaroufi, for whom the Italian authorities have issued an international arrest warrant for his involvement in planning an attack in Rome in 2001.

The Algerian terrorist group called Front Islamique du Djihad Armé (Armed Jihad Islamic Front) (FIDA) known as "Bureau exécutif national" is affiliated with Djaz'ara. Its leader abroad is Mourad Dhina, who operates from Switzerland.

This group has intermediaries in a number of countries (Netherlands, Burkina Faso, Malaysia and Great Britain). From these European countries, it continues to run a major logistical support network for Algerian terrorist groups and is attempting to re-establish itself in Algeria.

3. *Al Bakoun Ala El-Ahd Organization*

This terrorist group was formed in 1991 as a result of tensions in the former Front Islamique du Salut (Islamic Salvation Front) (FIS). It is led by Kamereddine Kharbane and Boudjemâa Bounoua, currently residing in Great Britain.

Its members are also based in Germany, where they have set up a clandestine ring for shipping weapons to Algeria for use by GIA. They were in contact with terrorist Abdelhak Layada, the former head of GIA, who is currently detained in Algeria.

The group has about 50 members operating in London under an extremist front association called Algerian Community in Britain (ACB), whose senior leaders are Kamereddine Kherbane and Boudjemâa Bounoua.

The other senior leaders of Al Bakoun Al El Ahd are:

- Nadir Remli, born on 17 March 1958 in Hussein Dey (Algiers), son of Mohamed Remli and Abida Boussaad. He is being sought under international arrest warrant No. 160/01 of 10 November 2001, on charges of forming and belonging to a terrorist group operating abroad. He currently resides in Great Britain and maintains ties with the al-Qa`idah networks under Abou Qotada and Abou Hamza El Misri.
- Mohamed Denideni, born on 23 January 1961 in El-Harrach (Algiers), the son of Abdelkader Denidni and Fatima Denidni. He is being sought under two international arrest warrants, No. 44/93 of 13 July 1993 for his involvement in the attack on Houari Boumediène Airport in Algiers and No. 160/01 of 10 November 2001 for forming and belonging to a terrorist group operating abroad, and inciting and preparing terrorist acts. He currently resides in Great

Britain, where he is in contact with terrorists Abou Qotada and Abou Hamza El Misri, the al-Qa`idah intermediaries.

- Abdallah Messai, born in 1945 in Khenchela (Algeria), son of Bouguerra Messai and Demiria Arouf. He is being sought under international arrest warrant No. 160/01 of 10 November 2001 for forming and belonging to a terrorist group operating abroad.

Al Bakoun Ala Al Ahd was a logistical and propaganda tool for GIA, to which it pledged its allegiance. It went on to support GSPC, which has become the al-Qa`idah intermediary, through articles disseminated by its propaganda tools, "Saout Al Djebha", "Essirat" and "Enlightment". It has expressed its hostility towards the Civil Harmony Law with a call to pursue terrorist activities in Algeria.

Al-Qa`idah has helped to finance the Al Bakoun Ala Ahd group. In April 2000, terrorist Omar Chabani (alias Abou Djâafar, killed in Tora Bora in 2001 during United States bombings against the Taliban and al-Qa`idah) instructed his representative in London, Amar Makhloufif, alias Abou Doha, currently facing extradition to the United States for his involvement in the Ressam/Dahoumène cases, to pay Al Bakoun Ala Ahd the necessary funds to pursue terrorist acts in Algeria.

4. *Ties to al-Qa`idah*

Ties between al-Qa`idah and Algerian terrorist groups date back to the 1990s, to the time when prospective leaders of these groups were being trained in camps in Pakistan and Afghanistan, or operating from Yemen and, later, the Sudan.

Thus, after belonging to the former Front Islamique du Salut, these persons formed GIA and embraced the transnational terrorism advocated by Osama bin Laden. The relationship with bin Laden was strengthened in June 1990, when he met in Jeddah (Saudi Arabia) with the top leaders of the Front Islamique du Salut.

The objective was to create a multitude of operational organizations that would fit into a very complex worldwide coalition that supported Jihad in every corner of the world in the spirit of Osama bin Laden's 1998 statement creating the World Islamic Front for Jihad against Jews and Crusaders.

Numerous leaders of terrorist groups operating in Algeria had been recruited by Osama bin Laden into the ranks of the Islamist volunteers during the civil war in Yemen. The senior leaders of the above-mentioned groups then fought in other countries, including Afghanistan, before joining GIA or GSPC or creating their own terrorist groups in Algeria.

The various organizational and deployment phases of these new terrorist groups both inside Algeria and abroad were directed by the ideologue Abou Koutada from London. Abou Koutada is also the ideologue of al-Qa`idah and the leader of terrorist groups in the Maghreb region.

Osama bin Laden promised to provide logistical support and financial assistance to any organization that would submit to al-Qa`idah's conditions, which were accepted by the above-mentioned Algerian terrorist groups.

Algerian terrorist groups have long-standing ties to al-Qa`idah and have contacts and alliances with other terrorist organizations in Afghanistan, Pakistan,

Malaysia, Indonesia, France, Spain, Great Britain, Italy, Germany, Belgium, Sweden and Denmark.

Their members abroad belong to al-Qa'idah's operational groups and, in the past four years, have participated in terrorist operations throughout the world.

A number of operatives who have served or are serving as contacts and intermediaries between the Algerian terrorist groups and al-Qa'idah have been identified by police in Algeria or abroad.

These operatives include: Farid Mellouk (detained in Belgium), Ahmed Ressam (detained in the United States), Abdelmadjid Dahoumène (detained in Algeria), Mohamed Chawki Baadache (detained in Belgium), Tarek Maroufi (Tarek Ben Habib Maaroufi, born on 23 November 1965 in Ghardimaou (Tunisia), Belgo-Tunisian, No. 72 on the list referred to in Security Council resolution 1333 (2000), currently detained in Belgium), Abou Doha (detained in Great Britain), Omar Chaabani (killed in Tora Bora), Djamel Beghal (detained in France), Kamel Fateh (detained in France), Hocine Toury (detained in Jordan), Adel Mechat (detained in France), Mohamed Bensakhria (alias Miliani, alias Pedro, arrested on 22 June 2001 in Alicante and extradited to France), Abdellah El-Ansari (fugitive), Mohamed Boutamine (interrogated in Great Britain), Mustapha Ait El Hadi (born on 5 March 1962 in Tunis, son of Abdelkader and Amina Aissaoui, sought under international arrest warrant No. 698/01 of 22 October 2001 and No. 704/01 of 22 April 2002, currently in Germany), Djamel Lounici (at large in Italy) and Athmane Meheiri, alias le Rouget, born on 9 September 1957 in Algiers, son of Abdellah Meheiri and Ouanassa Guersi (at large in Denmark).

VIII. Conclusion

The measures which Algeria has taken and is taking in order to strengthen its counter-terrorism capacities are proof of its will to combat relentlessly this transnational scourge which threatens it directly. Its wholehearted contribution to the battle waged at the international level under the relevant Security Council resolutions is significant in this respect.

As a victim of terrorism, Algeria is particularly aware of the need to improve the conditions of this battle and has always been an advocate of such improvement. It is pleased that some of its proposals in that area, particularly those concerning the creation of an assistance fund and the establishment of a monitoring mechanism, have been endorsed by other countries. However, even greater efforts are needed to achieve more effective action as proof of a stronger political will to remove obstacles in the battle against terrorism.

In fact, cooperation between security services would soon reach its limits if the current lack of consultation and coordination of operational activities, asylum and extradition policies and restrictions on the acquisition of specific equipment essential to combating terrorist groups continued.

Algeria would like to stress the following points:

(a) Terrorism definitely constitutes a real challenge to the political will of States. Only through this will can the international community mobilize against terrorism by making the current plan of action better suited to the seriousness and

complexity of transnational terrorism; this will require an integrated approach to cooperation in the area of counter-terrorism, including its operational, political, diplomatic and technical assistance aspects.

(b) The goal is to eliminate the scourge of terrorism, which constitutes a global threat wherever it appears, by working together.

In this connection, Algeria notes that the Algerian Groupe Islamique Armé (Armed Islamic Group) (GIA) and Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Proselytism and Combat) (GSPC) are among the most violent terrorist groups; however, they are included in the Committee's list but not that of the European Union. This is an abnormal situation from the point of view of the international community's goal of eliminating the worldwide terrorist threat pursuant to Chapter VII of the Charter of the United Nations.

Algeria would like to see the inclusion of Djamat Houmat Daawa Salafia (DHDS), Djaz'ara and groups and individuals associated with them in the United Nations list of terrorist organizations.

Individuals on the list include:

1. Mourad Dhina, born on 6 August 1961 in Blida, Algeria, son of Mohamed Dhina and Zoulikha Benmoussa. He is being sought under international arrest warrant No. 177/95/T of 15 January 1995. He is currently in Switzerland.

2. Djamel Lounici, born on 1 February 1962 in Algiers, son of Abdelkader Lounici and Djohra Birouh. He is being sought under international arrest warrant No. 15/93/T of 6 March 1993, No. 20/94/T of 25 July 1994, No. 07/95/T and No. 44/94/T of 3 April 1994 for forming and belonging to an armed terrorist group, voluntary manslaughter, possession of firearms, abetment of terrorism and attacks on the security of the State. Lounici is currently in Italy.

3. Mohamed Denideni, born on 23 January 1961 in El Harrach (Algiers), son of Abdelkader and Fatima Denideni. He is being sought under international arrest warrant Nos. 44/94 T and 160/01 of 10 November 2001 for forming and belonging to a terrorist group operating abroad, and for incitement and preparation of terrorist acts. He is currently in London.

4. Mustapha Nasri Ait El Hadi. Born on 5 March 1962 in Tunis, son of Abdelkader Ait El Hadi and Amina Aissaoui. He is being sought under international arrest warrant No. 698/01 of 22 October 2001 and No. 704/01 of 22 April 2002 for forming and belonging to a terrorist group operating abroad. Ait El Hadi is in Germany.

5. Nadir Ramli, born on 17 March 1958 in Hussein-Dey (Algiers), son of Mohamed Ramli and Abida Boussaad. He is being sought under international arrest warrant No. 160/01 of 10 November 2001 for forming and belonging to a terrorist group operating abroad. He is now in Great Britain.

6. Mouloud Mekiri, alias Abu Obeida, alias Mouloud Oued Ouchayah, born on 31 January 1961, son of Slimane Mekiri and Zohra Semmar. He is being sought under international arrest warrant No. 160/201 of 21 January 2002 for forming and belonging to a terrorist group operating abroad. He is a member of the organization Takfir Wa el Hidjra. He is now in Great Britain.

7. Hamid Aich, born on 11 March 1965 in Hussein-Dey, son of Mohamed Aich and Zohra Kasdi. He is being sought under international arrest warrant No. 160/01 of 10 November 2001 for belonging to a terrorist group operating abroad. He was staying in Pakistan, where he was employed by the organization of Afghan Mujahideen, and then in Great Britain, Canada and Ireland, successively. He is now in Pakistan.

8. Rachid Mesli, born on 7 April 1947 in Rabat, son of Mohamed Mesli and Houka Damardji. He is being sought under international arrest warrant No. 192/02 of 6 April 2002 for belonging to a terrorist group. He is in Switzerland.

9. Mokhtar Belmokhtar, born on 1 June 1972 in Ghardaïa, son of Mohamed Belmokhtar and Zohra Chemkha. He is being sought under international arrest warrant No. 04/2001 for forming and belonging to a terrorist group abroad. He moves between the Niger, Mali, Mauritania and Nigeria.

(c) At a time when criminal law is being standardized, Algeria considers it urgent to implement the principle that no claims of political motivation can provide grounds for denying a State's request for extradition.

The effective implementation of this principle requires greater transparency in the practices and procedures used by various States in matters of extradition; they must not constitute an insurmountable obstacle to the de facto implementation of this principle.

Therefore, in the light of the need for effective means of combating terrorism and of the legitimate security concerns of all States, Algeria considers it important to adopt a set of practices which would result in more coherent extradition policies.

(d) International counter-terrorism efforts require legislation, institutional and operational capacities and, in particular, the acquisition of appropriate equipment that can significantly reduce terrorist groups' ability to cause harm.

The Security Council must not lose sight of this essential aspect of the counter-terrorism effort and, in the spirit of its resolutions on that issue, must use its authority to facilitate the provision of such equipment, particularly to countries directly confronted by this scourge.

(e) It is urgent to develop and implement operating methods in order to meet the obligation to cooperate at all levels in the fight against terrorism.

To that end, appropriate modalities for action are needed in order to address the gaps, imbalances and breaches of obligation which exist in the current international counter-terrorism process. In other words, the international community requires the capacity to control effectively the implementation of counter-terrorism instruments and to issue warnings and even impose sanctions on countries which do not cooperate sufficiently.

Only if this is done will awareness of terrorism as a threat to international peace and security take on real meaning.